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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 UNITED STATES OF AMERICA, )  
9 )  
Plaintiff, ) Case No. CR09-5632-RBL  
10 v. ) **DETENTION ORDER**  
11 )  
DAVID FAIR, )  
12 Defendant. )  
\_\_\_\_\_ )

13 Offense charged:

14 Possession of Visual Depictions of Minors Engaged in Sexually Explicit Conduct.

15 Date of Detention Hearing: September 17, 2009.

16 The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and  
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18 that no condition or combination of conditions which the defendant can meet will reasonably  
19 assure the appearance of the defendant as required and the safety of any other person and the  
20 community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 Defendant is a sexually violent predator who has been civilly committed to McNeil Island.  
23 No confirmed information was provided regarding his review or release dates. Other residents at

1 McNeil Island have computers and internet access. No confirmed information was provided  
2 regarding defendant's access to the internet and other inmates' computers. Defendant through  
3 counsel stipulated to detention with leave to reopen if new information bearing on release is  
4 developed.

5 It is therefore ORDERED:

6 (1) Defendant shall be detained pending trial and committed to the custody of the  
7 Attorney General for confinement in a correctional facility separate, to the extent practicable,  
8 from persons awaiting or serving sentences, or being held in custody pending appeal;

9 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
10 counsel;

11 (3) On order of a court of the United States or on request of an attorney for the  
12 Government, the person in charge of the correctional facility in which Defendant is confined  
13 shall deliver the defendant to a United States Marshal for the purpose of an appearance in  
14 connection with a court proceeding; and

15 (4) The clerk shall direct copies of this order to counsel for the United States, to  
16 counsel for the defendant, to the United States Marshall, and to the United States Pretrial  
17 Services Officer.

18 DATED this 17<sup>th</sup> day of September, 2009.

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21 BRIAN A. TSUCHIDA  
22 United States Magistrate Judge  
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